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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

HEATHER ENTREKIN, individually and as
Personal Representative of the ESTATE OF
FRANCES CARTWRIGHT,

Plaintiff,

v.

LIFE CARE CENTER OF FEDERAL WAY, a
Washington Corporation; LIFE CARE
CENTERS OF AMERICA, INC., a Tennessee
Corporation; "JOHN/JANE DOES," and "XYZ
CORPORATIONS,"

Defendants.

No.

COMPLAINT FOR DAMAGES

Plaintiff, Heather Entrekin, by and through undersigned counsel of record, alleges as
follows:

I. INCORPORATION

1.1 By way of this reference, each paragraph contained herein is incorporated as
support for each paragraph which follows.

II. PARTIES

1 2.1 Plaintiff Heather Entrekin is the duly appointed Personal Representative of the
2 Estate of Frances Cartwright. Frances Cartwright died on January 2, 2021, and was a resident
3 of King County, Washington. Heather Entrekin is the natural daughter of the decedent, Frances
4 Cartwright. For all times material hereto, Heather Entrekin was a resident of Pierce County,
5 Washington.

6
7 2.2 Defendant Life Care Centers of America, Inc., is a Tennessee professional
8 service corporation doing business in the State of Washington. For all times material thereto,
9 Life Care Centers of America, Inc., owned, operated, and/or managed skilled nursing facilities
10 located in 27 states, including Life Care Center of Federal Way.

11
12 2.3 Defendant Life Care Center of Federal Way is a Washington professional
13 service corporation with its principal place of business in Federal Way, King County,
14 Washington. Life Care Center of Federal Way is a skilled nursing facility part of Life Care
15 Centers of America, Inc. For all times material hereto, Life Care Center of Federal Way
16 provided medical care and treatment to Frances Cartwright, now deceased, through its agents
17 and employees, who were acting on behalf of Life Care Center of Federal Way and within the
18 scope of their employment or agency, whether actual or ostensible.

19
20 2.4 Defendants "John/Jane Does" are individuals whose identities are presently
21 unknown, but who acted independently, jointly, or in concert with other defendants in the
22 provision of health care services to Frances Cartwright, deceased.

23
24 2.5 Defendants "XYZ Corporations" are presently unknown entities having
25 corporate or other business relationship to the above-named corporations, acting independently,
26 jointly, or in concert with other defendants in the provision of health care services to Frances
27 Cartwright, deceased.

III. JURISDICTION AND VENUE

3.1 The Superior Courts of the Washington have original subject matter jurisdiction of this matter, pursuant to the Constitution of the State of Washington, Article IV, § 6.

3.2 Venue is proper in King County Superior Court, under RCW 4.12.020(3) and RCW 4.12.025(1), (3).

IV. FACTS

4.1 Frances Cartwright was a 72-year-old patient/resident of Life Care Center of Federal Way dependent on staff for basic needs, including mobility.

4.2 Life Care Center of Federal Way publicly represents that it “offers inpatient and outpatient rehabilitation services, short-term and long-term care, and a variety of other skilled nursing services to meet each patient's individual care needs.”

4.3 For all times material hereto, Life Care Center of Federal Way knew or should have known that Frances Cartwright was a fall risk and required assistance of two staff members for bed mobility.

4.4 For all times material hereto, Life Care Center of Federal Way failed to provide Frances Cartwright with any assistive device(s) for transfer in and out of bed.

4.5 For all times material hereto, transfers of Frances Cartwright to and from her bed required assistance from two persons.

4.6 On or about October 27, 2020, Frances Cartwright fell from her bed.

4.7 On October 30, 2020, three days later, Frances Cartwright was taken to the emergency room, where she was diagnosed with a fractured distal femur as a result of the fall. Frances Cartwright was provided a knee immobilizer to wear for treatment of the fracture.

4.8 On October 31, 2020, Frances Cartwright was re-admitted to Life Care Center

1 of Federal Way.

2
3 4.9 On or about November 4, 2020, Frances Cartwright was noted to have a loose
4 stool, which had leaked into the knee immobilizer she was wearing.

5 4.10 On or about November 5, 2020, Frances Cartwright's knee immobilizer was
6 noted to be soiled.

7 4.11 On or about November 18, 2020, Frances Cartwright was having episodes of
8 diarrhea, which had saturated her clothing, bedding, and her knee immobilizer.

9
10 4.12 On December 6, 2020, Frances Cartwright was noted to have a reoccurring
11 abrasion to both of her buttocks.

12 4.13 On December 28, 2020, Frances Cartwright was noted to be lethargic and
13 drowsy.

14 4.14 On December 29, 2020, Frances Cartwright was noted to have a watery, loose
15 stool during early morning shift. A nursing assessment later that day noted that Frances
16 Cartwright reported shortness of breath and that she was not feeling well.

17 4.15 On December 31, 2020, Frances Cartwright was noted with increased lethargy
18 and was using accessory muscles to breathe.

19
20 4.16 On January 1, 2021, Frances Cartwright returned to the hospital.

21 4.17 Life Care Center of Federal Way reported to the hospital that Frances Cartwright
22 was hypoxic, vomiting, and had a fever.

23 4.18 During Frances Cartwright's hospital admissions in October and January 2021,
24 she showed signs of inadequate hydration.

25 4.19 On January 2, 2021, Frances Cartwright died.
26
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1 4.20` According to the Death Certificate, the cause of death included: severe sepsis,
2 acute cholecystitis, pneumonia, and hypoglycemia.
3

4 4.21 For all times material hereto, Defendants negligently cared for Frances
5 Cartwright and violated numerous regulations, laws, rights, and industry standards causing her
6 personal injury, illness, harm, and a decline in health, including but not limited to, failing to
7 prevent accidents, failing to adequately care plan, failing to timely transfer her to a higher level
8 of care, failing to notify her physician and family about the change in her condition, failing to
9 adequately staff its facility to provide for her care, and failing to comply with Code of Federal
10 Regulations 42 Part 483 and OBRA.
11

12 4.22 Upon information and belief, Life Care Center of Federal Way failed to provide
13 adequate nursing assessments, interventions, and/or care complying with federal and state
14 regulations applicable to nursing facilities to Frances Cartwright during her admission, the
15 specifics of which to be determined through discovery.
16

17 **V. FIRST CAUSE OF ACTION: NEGLIGENCE**

18 5.1 Defendants are liable for all resultant damages to the Estate of Frances
19 Cartwright, and to Heather Entrekin.
20

21 5.2 Defendants owed a duty of care to Frances Cartwright.

22 5.3 Defendants' actions and omissions (together or independently) failed to follow
23 the accepted standard of care and therefore were negligent, and include the following:

- 24 1. Failure to ensure proper medical attention or adequate medical
25 supervision;
- 26 2. Failure to provide appropriate care and staffing including complete and
27 full nursing assessments and nursing interventions;
- 28 3. Failure to assure urgent access to hospital and medical care as needed;
29

4. Failure to transfer to an appropriate level of care in a timely manner;
5. Failure to accurately document changes in condition and to notify physicians of changes in condition;
6. Failure to prevent injuries from occurring;
7. Failure to prevent falls;
8. Failure to respond to call lights in a timely manner;
9. Failure to allow physician's orders;
10. Failure to keep Frances Cartwright safe and secure;
11. Failure to provide complete, accurate, and reliable charting;
12. Failure to communicate with family members regarding urgent and important health matters affecting Frances Cartwright;
13. Failure to abide by all relevant state and federal regulations, administrative codes, regulations, and laws;
14. Failure to follow policies and procedures;
15. Failure to respect and protect Frances Cartwright's rights;
16. Violating Frances Cartwright's dignity;
17. Failure to follow the care plan;
18. Failure to follow the facility's contractual agreement;
19. Failure to provide sufficient or appropriate care and staffing to meet the needs of the resident;
20. Failure of facility administration to assure the resident's needs were met;
21. False advertising;
22. Negligently hiring, retaining, and supervising personnel;
23. Inadequate training of staff;
24. Covering-up adult abuse, neglect, and negligence; and

1 25. Such other acts and omissions as may be developed through the course
2 of discovery.

3 5.4 Frances Cartwright suffered injury and death, and Heather Entrekin suffered
4 damages for the wrongful death of her mother.

5 5.5 The negligence of Defendants (together or independently) was a direct and
6 proximate cause of the injury and death Frances Cartwright, and damages to Plaintiff Heather
7 Entrekin.
8

9 5.6 The manner of injury to the Estate of Frances Cartwright and damages to
10 Heather Entrekin, as well as the attending circumstances, are of such a character which would
11 warrant an inference that the injury, death, and damages would have not occurred if ordinary
12 care had been exercised by the defendants. The agency, instrumentality, or thing which
13 produced the injury was at all times under the control of the defendants when the injury
14 occurred; Frances Cartwright and Heather Entrekin lacked control to take action to avert the
15 injury, death, and damages, which would not ordinarily have occurred had the defendants
16 exercised due care.
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20 **VI. SECOND CAUSE OF ACTION: VIOLATION OF RCW 74.34, *et seq.***

21 6.1 RCW 74.34.200 provides “vulnerable adults,” as defined by RCW
22 74.34.020(21), who, while residing at a “facility,” as defined by RCW 74.34.020(6), have been
23 subjected to “abandonment, abuse, financial exploitation, or neglect,” as those terms are defined
24 by RCW 74.34.200, a cause of action for damages—on account of their injuries, pain and
25 suffering, and loss of property sustained thereby—and reasonable attorney’s fees and costs.
26

27 6.2 For all times material hereto, the decedent, Frances Cartwright, was a
28 “vulnerable adult,” as defined by RCW 74.34.020(21).
29

6.3 Defendant Life Care Center of Federal Way constitutes a “facility,” as defined by RCW 74.34.200(6).

6.4 Defendants' actions and/or omissions (together or independently) constituted not only "neglect," as that term is defined by RCW 74.34.200(15), but also conscious or reckless disregard for the safety and health of their patient, Frances Cartwright.

6.5 Frances Cartwright suffered injury and death, and Heather Entrekin suffered damages for the wrongful death of her mother.

6.6 The neglect and recklessness of Defendants (together or independently) was a direct and proximate cause of the injury and death Frances Cartwright, and damages to Heather Entrekin.

VII. DAMAGES

7.1 As a direct and proximate cause of the common law and statutory carelessness and recklessness of Defendants, the Estate of Frances Cartwright is entitled to recover compensatory damages (economic and noneconomic damages), punitive or exemplary damages, and any other relief, as under all the circumstances of the case, may seem just.

7.2 As a direct and proximate cause of the common law and statutory carelessness and recklessness of Defendants, Plaintiff Heather Entrekin was deprived of the love, care, companionship, and guidance of her mother, Frances Cartwright, entitling her to recover compensatory damages (economic and noneconomic damages), punitive or exemplary damages, and any other relief, as under all the circumstances of the case, may seem just.

VIII. WAIVER OF PHYSICIAN-PATIENT PRIVILEGE

8.1 Waiver of the physician-patient privilege under RCW 5.60.060(4) does not waive or release any other rights of privilege, including those related to the physician-patient relationship, other than the privilege set out in the above-cited statute.

IX. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for Judgment against Defendants:

9.1 A judgment of liability against Defendants for the tortious conducted stated herein;

9.2 A full award of economic and noneconomic damages suffered by Plaintiffs;

9.3 Prejudgment interest on such economic and noneconomic damages as the law allows, at the maximum allowable rate;

9.4 An award of reasonable attorney's fees and costs, including, but not limited to, expert costs, as the law allows;

9.5 An award of punitive or exemplary damages, as the law allows; and

9.6 Such further relief as is just and equitable.

DATED this 19th day of October, 2023.

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